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SUBJECT: DJUKANOVIC WINS LIBEL JUDGMENT AGAINST MONTENEGRO DAILY VIJESTI

REF: A. A. PODGORICA 24

- [¶](#)B. B. 2007 PODGORICA 317
- [¶](#)C. C. 2007 PODGORICA 288

[¶](#)1. SUMMARY: (U) On May 19, Podgorica's Basic Court found Zeljko Ivanovic, director of the daily paper Vijesti, and "Daily Press," Vijesti's publisher, guilty of defaming PM Milo Djukanovic and fined them 20,000 euros. Djukanovic had sued, asking for one million euros compensation for his "damaged dignity" when the paper claimed he was behind an attack on Ivanovic in September 2007 (ref A). The verdict has prompted strong criticism from press freedom advocates. END SUMMARY.

[¶](#)2. (U) On September 1, 2007, Zeljko Ivanovic, director of the Podgorica daily Vijesti, was assaulted by three persons in central Podgorica (ref A). Ivanovic told reporters he believed the attack was undertaken at the behest of Milo Djukanovic, then leader of the ruling Democratic Party of Socialists (DPS), in retaliation for Vijesti's negative coverage of alleged corruption and mafia influence in the party. (Specifically, Ivanovic said he believed that Djukanovic and his "criminal or biological family" were behind the attack.) In an editorial, Vijesti also claimed Montenegro was a country "where the mafia and government are intertwined to the point of being unrecognizable, where the political leadership and mafia henchmen are often on the same level, where smuggling is the basis for the value system and honest work and justice are mocked." On September 12, Djukanovic filed a lawsuit against Ivanovic, Ljubisa Mitrovic, the newspaper's editor in chief, and Daily Press, its publisher, for one million euros in compensation for his "damaged dignity and mental suffering."

[¶](#)3. (U) Vijesti's owners said the lawsuit was Djukanovic's attempt to suppress freedom of expression. The assault on Ivanovic occurred on the tenth anniversary of the paper's founding; Ivanovic was not seriously injured, suggesting that his attackers were more interested in delivering a message than hurting him. Vijesti had also said they were planning an independent TV station (opened this month), and implied this might be another reason to intimidate them.

[¶](#)4. (U) The libel trial opened on November 26, 2007. The defense lawyers requested that the president of the court disqualify the judge from the trial because of his partiality towards the plaintiff after the judge rejected their request that Djukanovic appear in the court and undergo a medical examination to prove his mental suffering. The judgment was announced on May 19, 2008. Part of the lawsuit directed against the Editor-in-Chief of Vijesti was rejected by the Court.

COMMENT

15. (SBU) The verdict, while it will be appealed, has raised the hackles of press freedom advocates in Montenegro. The speed with which the case made its way through Montenegro's notoriously lethargic judicial system looks to some like special consideration, and the 20,000 Euro fine, while less than requested, is high (the usual fine for slander is up to 14,000 Euros; the average salary here is less than 400 Euros per month). Journalists already tell us that there is a very strong perception that covering certain topics, particularly crime and corruption, will get them into trouble. They see connections between reporting and physical intimidation or violence in a number of cases (there have been no convictions in the October 2006 attack on Jevrem Brkovic, a prominent writer, in which the attackers killed Brkovic's bodyguard, nor in the 2004 murder of Dan's editor). More often, however, perceived intimidation is in the form of a court action.

16. (SBU) It is true that Vijesti has taken an increasingly anti-DPS line, including during the recent Presidential election campaign when many observers concluded the paper appeared to favor opposition candidate Nebojsa Medojevic against incumbent President and DPS member Filip Vujanovic. Vijesti has also faced some controversy. The paper's German co-owners WAZ sold their shares late last year amidst allegations that the local owners were engaging in tax fraud and unsubstantiated and

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unprofessional reporting (ref B). WAZ may or may not have also had a partisan point of view, however. They suggested Vijesti's editors were carrying out a "vendetta" against the DPS and Djukanovic.

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